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PROTECTION OF VITAL SHIPPING LANES

Piracy and armed robbery against ships in the West Africa region

Submitted by Greece

SUMMARY

Executive summary: This document aims at drawing the attention of the Council to the growing number of piracy and armed robbery incidents in the West Africa region, in particular the Gulf of Guinea and invites IMO to take international action as appropriate

Strategic direction: 6

High-level action: 6.2.1 to 6.2.3

Planned output: No related provisions

Action to be taken: Paragraph 16

Related documents: Resolution A.1044(27); C 110/13; MSC 92/18, MSC 92/18/1 and Circular letter No.3164

Introduction

1 During the twenty-seventh session of the IMO Assembly (General Statements), Greece explicitly mentioned that piracy continued to threaten international shipping, in particular off the coast of Somalia. Moreover, Greece welcomed the theme of World Maritime Day 2011, "Piracy, orchestrating the response", which aimed at raising awareness of the severity of the piracy situation off the coast of Somalia and its implications for seafarers and the transport of humanitarian aid to the country, as well as disruption and the resulting consequences to shipping, international seaborne trade and the world economy. The Assembly adopted resolution A.1044(27) on *Piracy and armed robbery against ships in waters off the coast of Somalia*, as approved by the Council, together with the comments made in plenary.

2 At the ninety-second session of the Maritime Safety Committee (MSC), Greece submitted document MSC 92/18/1 to reiterate concerns on the increase of piracy and armed robbery against ships off the west African coast. Commenting on the Greek document, the IMO Secretariat submitted to the same session document MSC 92/18 providing information on activities to repress such actions off the coast of West and Central Africa.

Greece wishes to raise the issue within the Council context in relation to future action to be taken by IMO and the competent international fora.

Background

3 The coordinated international action against piracy in the Gulf of Aden has led to a massive reduction in pirate attacks in this region. This decrease may be attributed to a combination of factors, including: the presence of naval forces disrupting pirate operations, implementation of self-protection measures on board merchant ships and better situational awareness of the individual threats. However, until this target is achieved, there can be no room for complacency. Any reduction of the level of protection of merchant ships could lead to a resurgence of pirate and armed robbery activities. Bearing in mind the above, shipowners, shipping companies, ship operators, masters and crews are urged to continue taking all appropriate and recommended measures to protect their ships and those on board from pirates and armed robbers, through sustained and full implementation of the relevant IMO guidance and industry-developed Best Management Practices for protection against piracy (BMP 4).

4 However, the assumption that, after five years of escalating pirate attacks, the problem of piracy has been countered is a misleading one, as it would dangerously underestimate the imitation effect and the escalation of piracy off the west coast of Africa, in the Gulf of Guinea. It is characteristic that, in the period between the 1 January 2013 and 23 May 2013, there have been 19 reported incidents in the Nigerian region compared to seven Somali-related incidents*.

5 Piracy and armed robbery in the West Africa region, mainly in the Gulf of Guinea, started about 10 years ago, and was limited to small fishing boats or local ships transporting goods. But, the increase in oil exports prompted the armed robbers to turn their attention to the oil tankers. In the year 2012, there were 58 recorded incidents in the Gulf of Guinea, including 10 hijackings and 207 crew members taken hostage.

Initiatives in the Framework of UN, IMO and EU

6 Recognizing the threat posed by the increase in piracy attacks in the Gulf of Guinea, the United Nations Security Council has adopted the following resolutions:

- .1 on 31 October 2011, resolution 2018 (2011), which, inter alia, expressed its deep concern over the threat that piracy and armed robbery at sea pose to the safety of seafarers in the Gulf of Guinea and called the States of ECOWAS, ECCAS and the GGC in conjunction with the flag States to cooperate in the prosecution of alleged perpetrators, financiers and facilitators of acts of piracy and armed robbery committed off the coasts of the Gulf of Guinea; and
- .2 on 29 February 2012, resolution 2039 (2012), which, inter alia, encouraged national authorities as well as regional and international partners to consider implementing the recommendations of the assessment mission, and international partners to provide support to regional States and organizations for the enhancement of their capabilities to counter piracy and armed robbery in the Gulf of Guinea.

* IMB Statistical Data, as from 23 May 2013.

7 Following the above United Nations Security Council resolutions, the Economic Community of West African States (ECOWAS), the Economic Community of Central African States (ECCAS) and the Gulf of Guinea Commission (GGC) have developed a new Code of Conduct concerning the prevention and repression of piracy, armed robbery against ships and illicit maritime activity in West and Central Africa, which has been adopted at a Ministerial meeting in Benin and is expected to be opened for signature at the meeting of the Heads of State and Government of Central and West African States, expected to be held in Yaoundé, Cameroon, in June 2013.

8 Recent developments at the EU level demonstrate that European External Action Service (EEAS) and the European Commission have decided to prepare a EU Strategy for the Gulf of Guinea. The strategy is more likely to be followed by a funding envelope and to address mainly issues of training, capacity-building, governance issues, etc.

The cost associated with piracy and armed robbery

9 Although the current reference is focused on economic costs, there are also tremendous human costs associated with this crime. The obvious direct financial costs of piracy are related to: ransoms, insurance premiums, the costs of re-routing to avoid piracy regions, deterrent security equipment, naval forces, piracy prosecutions, and anti-piracy organizations. The secondary more complex (macroeconomic) costs of piracy, such as: effects on regional trade, fishing and oil industries, food price inflation, and reduced foreign revenue are considered to be equally important and affecting in a negative way the cost associated to the world seaborne trade and consequently the end consumer. In addition, the cost of insurance in reaction to the growing threat and cost of ransoms is considered to be significant. The maritime insurance industry has responded by increasing its shipping rates and premiums, especially in designated high-risk piracy and armed robbery zones. Certain industry estimations suggest that piracy costs between \$1 and \$16 billion per year.

The need for further international action

10 Greece is gravely concerned about the growing threat of piracy and armed robbery in the West Africa region, which affects not only the regional and global economy but, most importantly, the lives of seafarers, who continue to pay a heavy price and should be supported in maintaining their physical, mental and psychological integrity. The violent character of piracy attacks in that region adds further to those concerns and requires particular attention of the international community.

11 Attention should be given to the fact that, compared to the situation in Somalia, it is rather encouraging that the States of the western Africa region show their willingness to cooperate with each other in order to develop a common strategy to fight piracy and armed robbery and face potential administrative issues with regard to capacity-building and difficulties in dealing with the challenges posed by the increasing activity of pirates off their coasts and should, therefore, be assisted by the international community and technically supported to improve their capabilities and effectiveness of their actions against the pirates.

12 In this respect, Greece appreciates the assistance already provided by IMO to West African States to help them fight piracy in their region. We believe that those States should be assisted in developing their national and regional capabilities in order to prevent a further increase of armed robbery activities in the region and constrain the number of attacks. We wish to draw the attention of the Council to the change taking place in the geographic location of piracy and armed robbery as well as to the extremely violent character of the committed acts and to emphasize the need to take action and effective measures to tackle piracy and armed robbery in the West Africa region. In order to achieve this, it would be

necessary for the international community to continue with the same determination its efforts to improve maritime governance in the sea areas threatened by maritime piracy and armed robbery and to increase the capacity of States in the affected regions.

13 In this context, we are convinced that the combating of the piracy plague requires the development of a global strategy, including both preventive measures and establishment of appropriate jurisdictions to face the current impunity of pirates. This would include the strengthening of the legal framework of the West African States, including anti-piracy laws and enforcement regulations. In addition, taking into account that, in the Gulf of Guinea, attacks usually take place in waters under the jurisdiction of the coastal States of the region, it is significant to support the training of national coast guards in the coastal States as well as the sharing of information.

14 Bearing in mind the above and also considering the need to:

- .1 promote anti-piracy coordination and cooperation procedures between and among States, regions, organizations and industry;
- .2 assist States to build capacity in piracy and armed robbery-infested regions of the world to deter, interdict and bring to justice those who commit acts of piracy and armed robbery against ships; and
- .3 reiterate full respect for the sovereignty, sovereign rights and jurisdiction of the coastal States and the relevant provisions of international law, in particular UNCLOS.

Greece believes that further action should be considered by the Council to tackle the piracy and armed robbery problem in the West Africa region and proposes, as a first step, that the Council considers the matter with a view to adoption by the IMO twenty-eighth Assembly of a resolution addressing the problem of armed robbery against ships in the western African region, following the established practice of previous Assembly resolutions relating to piracy in waters off the coast of Somalia.

15 In this respect, recognizing also the strategic importance of the shipping routes along the coast of both sides of the Horn of Africa for regional and international seaborne trade and the need to ensure that they remain safe at all times, Greece expresses its sincere appreciation to the Secretary-General and the competent IMO bodies and the Secretariat for the significant progress achieved and, in particular, the efforts made by the shipping industry to develop guidance to assist ships to avoid, deter, delay and respond to piracy and armed robbery attacks. At the same time, it is considered to be of paramount importance to continue monitoring the situation in relation to threats to ships sailing in waters of western Africa and report to the Council, the Maritime Safety Committee, the Legal Committee, the Technical Co-operation Committee and the Facilitation Committee, as and when appropriate, on developments and any further actions which may be required.

Action requested of the Council

16 The Council is invited to take note of the above and take action, as appropriate.